

REMARKS

Claims 1-16 are pending. By this amendment Figure 13 and claims 1, 3, 4, 8, 9, 12, and 15 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Figure 13 was objected to. Figure 13 has been amended to obviate the objection. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 4-7 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Claim 4 has been amended to obviate the rejection. Reconsideration and withdrawal of the rejection are respectfully requested.

Applicant appreciates the indication that claim 8 would be allowable if rewritten in independent form. Claim 8 has been rewritten in independent form and is allowable.

Applicant respectfully notes that claim 11 was not rejected. Applicant assumes claim 11 is allowable.

Claims 1, 2, 9 and 12-16 were rejected under 35 U.S.C. § 102(b) over Gershon et al. (U.S. Patent 4,832,486). The rejection is respectfully traversed.

Claim 1 recites a focal length measuring device comprising a light source unit for generating collimated light. A light deflecting unit deflects the collimated light so that the collimated light intersects an optical axis at an angle and the collimated light is emitted. A light receiving unit is disposed opposite to the light source unit so as to sandwich the light deflecting unit. The light receiving unit is disposed near a rear focal plane of an optical element to be tested and the light receiving unit outputs information for calculating a focal length of the optical element to be tested.

Gershon et al. disclose a focal length measuring apparatus in which the beam emitted from the laser 45 is deflected by the prism assembly 46 so that the beam is incident on the lens 50. The laser 45 is mounted on the X-Y table assembly 43. Accordingly, the laser 50 can scan across the lens 50 by driving the X-Y table assembly 43. See Fig. 3 and column 5, lines 37-39. In this case, the laser 45 and the prism assembly 46 are moved together with the X-Y table assembly 43. Therefore, the scanning beam is moved parallel to an optical axis, not intersecting an optical axis at an angle as recited in claim 1.

Claims 2, 9 and 12-16 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection over Gershon et al. are respectfully requested.

Claims 3-7 were rejected under 35 U.S.C. § 102(b) over Lapornik et al. (U.S. Patent 4,139,305). The rejection is respectfully traversed.

Claim 3 recites a focal length measuring device comprising a light source unit for generating collimated light. A light deflecting unit deflects the collimated light so that the collimated light intersects an optical axis at an angle and the collimated light is emitted. A light receiving unit is disposed opposite to the light source unit so as to sandwich the light deflecting unit. The light deflecting unit is disposed near a front focal plane of the optical element to be tested and the light receiving unit outputs position information for calculating a focal length of the optical element to be tested.

Lapornik discloses a focal length measuring apparatus in which a beam 12 emitted from the light beam source 16. The radius of the beam 12 is expanded by the beam expander 18, and emitted from the beam scanner 20 to the optical system 10. The beam 12 is passed through the aperture 38 after being refracted by the optical system 10, and is detected by a photodetector 30. It is respectfully submitted that it is clear that the beam 12 emitted from the beam scanner 20 is parallel to an optical axis. See, for example, Fig. 1 and column 3, lines 2-6. Accordingly, Lapornik does not disclose a light deflecting unit for deflecting the collimated light so that the collimated light intersects an optical axis at an angle, as recited in claim 3.

Claims 4-7 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 3 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection over Lapornik are respectfully requested.

Claim 10 was rejected under 35 U.S.C. § 103(a) over Gershon et al. The rejection is respectfully traversed.

With respect to the taking of Official Notice, in accordance with MPEP § 2144.03, Applicant respectfully requests that the Examiner provide documentary evidence that the use of telecentric lenses is capable of instant and unquestionable demonstration as being well known. It is further respectfully submitted that even assuming that the Examiner provides such documentary evidence, the combination of Gershon et al. with the taking of Official Notice fails to present a *prima facie* case of obviousness. Applicants are not claiming the use of a telecentric lens or lenses. Claim 10 recites all of the features of claim 1, and a double

telecentric optical system, wherein the double telecentric optical system is disposed between the supporting unit and the light receiving unit. As the Examiner acknowledges that Gershon et al. fail to disclose the features of claim 10, the taking of Official Notice that telecentric lenses are old and well known will not cure the deficiency of Gershon et al. with respect to claim 10.

Reconsideration and withdrawal of the rejection of claim 10 over Gershon et al. are respectfully requested.

In view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe anything further is desirable to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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Attachment:

Replacement Sheet (Figure 13)